

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT COURT OF PENNSYLVANIA

VINCENZO MAZZAMUTO,  
Plaintiff,

v.

UNUM PROVIDENT CORPORATION;  
PAUL REVERE LIFE INSURANCE  
COMPANY; and NEW YORK LIFE  
INSURANCE COMPANY  
Defendants

CIVIL ACTION – LAW

NO. 1:CV-01-1157

JUDGE KANE

JURY TRIAL DEMANDED

**PLAINTIFFS' PROPOSED TRIAL EXHIBIT LIST**  
**PURSUANT TO F.R.C.P. 26(a)(3)**

|    | <b>EXHIBIT</b>   | <b>DATE</b>      | <b>I.D.</b>                      |
|----|--|------------------|----------------------------------|
| 1  | New York Life Disability Policy #H3 236 167                            | 6/28/93          |                                  |
| 2  | letter from Mr. Mazzamuto to New York Life Ins. Co.                    | 3/29/97          |                                  |
| 3  | 1996 Application for Disability Benefits Claim File                    |                  |                                  |
| 4  | UNUM 2000 Application for Disability Benefits Claim File               | Nov.2000         |                                  |
| 5  | Occupational Description   | Jan 2001         |                                  |
| 6  | Unum claim denial letter   | 4/20/01          |                                  |
| 7  | Paul Revere Life Insurance Company claim file as to Policy #H3 236 167 |                  |                                  |
| 8  | New York Life Insurance Company claim file as to Policy #H3 236 167    |                  |                                  |
| 9  | New York Life memo and letters   | March/April 1997 | NYL CL 158,159, 151,152, 210,211 |
| 10 | memo and explanation of benefits                                       | April 1997       | NYL CL 216,217                   |
| 11 | UnumProvident Claims Manual  |                  |                                  |
| 12 | New York Life Insurance Policy #44-904-932                             |                  |                                  |
| 13 | documents regarding New York Life Ins.Policy #44 904 932               |                  |                                  |
| 14 | Rider – Disability Waiver of Premium                                   |                  |                                  |
| 15 | waiver of premiums letter (Policy #44 904 932)                         | 6/14/02          |                                  |
| 16 | re-approval letter for Waiver of Premium Disability Benefits           | 8/15/02          |                                  |
| 17 | Social Security Disability documents                                   |                  |                                  |
| 18 | Social Security Claims Questionnaire                                   | April 2001       |                                  |
| 19 | Report of Stanley Schneider, EDD                                       | 7/13/01          |                                  |

|    |   |          |  |
|----|---|----------|--|
| 20 | Report of Dr. Bower for Social Security   | 4/16/02  |  |
| 21 | Social Security Administration Decision   | 7/25/02  |  |
| 22 | medical records of Carlisle Hospital Pain Control Clinic  |          |  |
| 23 | medical records of Douglas Bower, M.D.  |          |  |
| 24 | 11/3/00 report of Douglas Bower, MD   | 11/3/00  |  |
| 25 | Physician Monthly Progress Reports  |          |  |
| 26 | Defendant expert Dr. Robert Steinman report   | 6/27/02  |  |
| 27 | Defendant expert Dr. Abram Hostetter report   | 6/28/02  |  |
| 28 | National Underwriter article "Doctor's Suit Asserts UnumProvident had policy of denying claims" | 7/29/02  |  |
| 29 | McSharry v. UnumProvident complaint   |          |  |
| 30 | videotaped deposition transcript of Patrick Fergal McSharry                                     |          |  |
| 31 | deposition transcript of Melissa Mulry  |          |  |
| 32 | deposition transcript of John W. Fogarty  |          |  |
| 33 | deposition transcript of John Clarke, M.D.  |          |  |
| 34 | videotaped deposition transcript of Douglas Bower, M.D.   |          |  |
| 35 | deposition transcript of Gerarda Mazzamuto  |          |  |
| 36 | deposition transcript of Vincenzo Mazzamuto   |          |  |
| 37 | deposition exhibits   |          |  |
| 38 | any discovery documents exchanged by the parties  |          |  |
| 39 | Day in the Life of Mr. Mazamuto videotape   | 10/25/02 |  |
| 40 | CBS 60 Minutes segment on UNUMProvident   | 11/17/02 |  |
| 41 | Annual reports of Defendants  |          |  |
| 42 | Any exhibits used by Defendant  |          |  |

Plaintiff reserves the right to supplement.